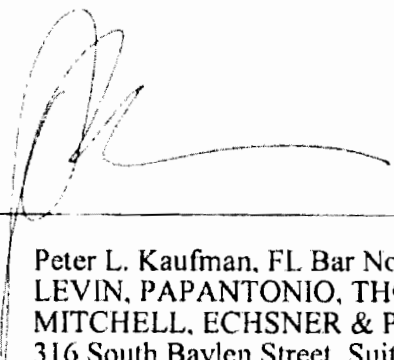




Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

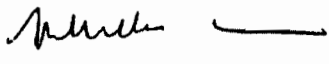
DATED: \_\_\_\_\_, 2009

By: \_\_\_\_\_

  
Peter L. Kaufman, FL Bar No. 0548421  
LEVIN, PAPANTONIO, THOMAS,  
MITCHELL, ECHSNER & PROCTOR, P.A.  
316 South Baylen Street, Suite 600 (32502)  
PO Box 12308  
Pensacola, FL 32591  
Telephone: (850) 435-7107  
Facsimile: (850) 435-7020  
*Attorneys for Plaintiff*

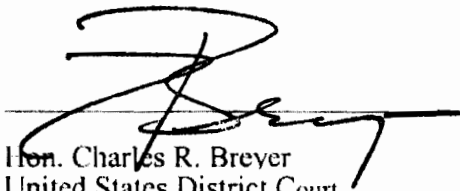
DATED: August 6, 2009

By: \_\_\_\_\_

  
DLA PIPER LLP (US)  
1251 Avenue of the Americas  
New York, NY 10020  
Telephone: (212) 335-4500  
Facsimile: (212) 335-4501  
*Defendants' Liaison Counsel*

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,  
IT IS SO ORDERED.**

Dated: **AUG 17 2009**

  
Hon. Charles R. Breyer  
United States District Court